AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows. This listing of claims will replace all prior listings.

1.- 5. (CANCELLED)

6. (CURRENTLY AMENDED) A method for performing congestion control in a node in a connection-oriented packet-switching network, the method comprising:

~~receiving notification~~ determining that there is an indication of traffic congestion ~~at a node located~~ in a first path connecting a source node and a destination node for a communication session, wherein the first path is a non-real time connection with ~~a Minimum Cell Rate (MCR)~~ an available cell rate of R_{ACR} ~~and a Peak Cell Rate (PCR) of R_{PCR}~~;

the source node ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

the source node selecting one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist, the selected one of the M alternative paths replacing the first path for a remainder of the communication session.

7. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths which best satisfies the R_{ACR} in accordance with one or more rules, if there are more than one of the M alternative paths.

2

8.   (CURRENTLY AMENDED) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths with a maximum amount of unreserved resources to satisfy the R_{ACR}, if there is more than one of the M alternative paths.

9.   (CURRENTLY AMENDED) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths with a least amount of unreserved resources but enough unreserved resources to support the R_{ACR}, if there is more than one of the M alternative paths.

10.   (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting a first one of the M alternative paths found to satisfy the R_{ACR}, if there is more than one of the M alternative paths.

11.   (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths that satisfies the R_{ACR} according to one or more custom criteria, if there is more than one of the M alternative paths.

12.   (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths that satisfies the R_{ACR} according to one or more fuzzy rules, if there is more than one of the M alternative paths.

13-14. (CANCELLED)

15.   (CURRENTLY AMENDED) One or more computer-readable media having stored thereon computer executable instructions that, when executed by one or more processors, causes ~~a computer~~ the one or more processors to:

        ~~receive notification~~ determine that there is an indication of traffic congestion ~~at a node located~~ in a first path connecting a source node and a destination node for a communication session, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

        ascertain whether M alternative paths exist with available resources able to satisfy the R_{PCR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

        select one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist, the selected one of them alternative paths replacing the first path for a remainder of the communication session.

16.   (CURRENTLY AMENDED) A method for performing congestion control in a node in a connection-oriented packet-switching network, the method comprising:

~~receiving notification~~ determining that there is an indication of traffic congestion ~~at a~~ ~~node located~~ in a first path connecting a source node and a destination node for a communication session, wherein the first path is a non-real time connection with ~~a Minimum Cell Rate (R$_{MCR}$)~~ ~~and Peak Cell Rate (PCR) of R$_{PCR}$~~ an available cell rate of R$_{ACR}$;

the source node ascertaining whether M alternative paths exist with available resources able to satisfy the R$_{ACR}$ for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1;

the node selecting one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist;

the source node ascertaining whether X alternative paths exist with available resources able to satisfy a reduced Available Cell Rate ~~(ACR)~~ of R´$_{ACR}$~~R$_{ACR}$~~, if M alternative paths do not exist, wherein R´$_{ACR}$~~R$_{ACR}$~~ is less than the R$_{ACR}$, but is greater than a new ~~ACR~~ available cell rate for the first path if rate control ~~is instituted~~ were instituted to eliminate the traffic congestion; and

the source node selecting one of the X alternative paths to reroute the traffic between the source node and the destination node if the X alternative paths exist, the selected alternative path replacing the first path for a remainder of the communication session.

17.   (CURRENTLY AMENDED) A system, comprising:

means for ~~receiving notification~~ determining that there is an indication of traffic congestion ~~at a node located~~ in a first path connecting a source node and a destination node for a communication session, wherein the first path is a non-real time connection with ~~a Minimum Cell Rate (R$_{MCR}$) and Peak Cell Rate (PCR) of R$_{PCR}$~~ an available cell rate of R$_{ACR}$;

means at the source node for ascertaining whether M alternative paths exist with available resources able to satisfy the R$_{ACR}$ for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

means at the source node for selecting one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist, the selected one alternative path replacing the first path for a remainder of the communication session.

18.   (CURRENTLY AMENDED) The system as recited in Claim 17 further comprising means for ascertaining whether X alternative paths exist with available resources able to satisfy a reduced Available Cell Rate ~~(ACR)~~ of R´$_{ACR}$~~R$_{ACR}$~~, if M alternative paths do not exist, wherein R´$_{ACR}$~~R$_{ACR}$~~ is less than the R$_{ACR}$, but is greater than a new ~~ACR~~ available cell rate for the first path if rate control ~~is instituted~~ were instituted to eliminate the traffic congestion; and

means for selecting one of the X alternative paths to reroute the traffic between the source node and the destination node if the X alternative paths exist.

19.   (NEW) The method of claim 6, comprising receiving a notification of traffic congestion at the source node.

6

20.   (NEW)   The computer-readable media of claim 15, wherein the computer executable instructions comprise instructions that cause the one or more processors to receive a notification of traffic congestion at the source node.

21.   (NEW) The method of claim 16, comprising receiving a notification of traffic congestion at the source node.

22.   (NEW)   The system of claim 17, wherein the source node is configured to receive a notification of traffic congestion.